

<b>Notice of Allowability</b>	Application No.	Applicant(s) <i>CM</i>
	10/645,109	GOUMAS
	Examiner	Art Unit
	Fadi H. Dahbour	3743

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to after-final amendment, filed on 02/02/05.

2.  The allowed claim(s) is/are 1-27.

3.  The drawings filed on 21 August 2003 are accepted by the Examiner.

4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

*rec'd all*

*2/15/05*

Fadi H. Dahbour

Examiner

Art Unit 3743

**DETAILED ACTION**

***Allowable Subject Matter***

1. The Examiner acknowledges Applicant's submission of the after-final amendment, filed on 02/02/05.

2. The allowed claims are 1-27.

3. The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach or fairly suggest the recitations of the specific features of the brace and method, of claims 1, 9, 10, 14, 17 and 22, including especially the following: The primary reason for the allowance of independent claim 1, is the inclusion of the proximal section of the outer shell extending in a direction transverse to the longitudinal direction at least from the outside portion of the wearer's wrist to approximately a midpoint of the wrist, and the distal section of the outer shell extends in the transverse direction at least from the outside portion of the wearer's hand over the fourth metacarpal.

The primary reason for the allowance of independent claim 9, is the inclusion of the outer shell being conformed to the contours of the wearer's wrist and hand by heat-treating the outer shell after the brace is applied to the wearer, claimed in combination with the brace's inner shell, proximal section, distal section, angle, and straps.

The primary reason for the allowance of independent claim 10, is the inclusion of the outer shell of the brace being adapted to be trimmed to conform to a wearer's hand and wrist, claimed in combination with the brace's inner shell, proximal section, distal section, angle, and straps.

The primary reason for the allowance of independent claim 14, is the inclusion of trimming the outer shell of the brace to conform the brace to a wearer's hand and wrist, claimed in combination with the inner shell, proximal section, distal section, angle, and straps.

The primary reason for the allowance of independent claim 17, is the inclusion of the proximal section of the outer shell extending in a direction transverse to the longitudinal direction at least from the outside portion of the wearer's wrist to approximately a midpoint of the wrist, and the distal section of the outer shell extends in the transverse direction at least from the outside portion of the wearer's hand over the fourth metacarpal.

The primary reason for the allowance of independent claim 22, is the inclusion of heat-treating the outer shell to conform the outer shell to the contours of the wearer's wrist and hand, claimed in combination with the inner shell, proximal section, distal section, angle, and straps.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fadi H. Dahbour whose telephone number is 571-272-4792. The examiner can normally be reached on M-F, 9am-5:30pm est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry A. Bennett, can be reached on (571) 272-4791. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Fadi Dahbour*  
2/15/05

Fadi H. Dahbour  
Examiner  
Art Unit 3743